

From Jurisdiction to Narration: Standards for Topicality in Parliamentary Debate

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It is the last round of a very long day of judging and I am ready for food and my bed. As I walk to the round I read the topic to myself: This house would fight the fight, and wonder what "canned" case the government is going to run. As the debate begins I realize that I am in trouble. The government has decided to fight the fight by enacting a plan to stop the illegal dumping of hazardous waste in Mexico. As the prime minister waxes eloquently about the harms of illegally dumping hazardous waste into the environment I wonder to myself: does anyone really think this is a good idea—at least anyone not involved directly with the illegal behavior? Is there anyone that really thinks that the question of should we or should we not illegally dump hazardous waste is up for debate in the homes and coffee shops of average American citizens? As the prime minister illustrates the advantages to stopping illegal dumping I wonder what fight the government is really fighting.

Rounds like these illustrate two problems we will address in this paper. First, government canned cases, more often than not, provide too little room for oppositional discourse. We argue that Government teams have the burden to interpret the resolution and their corresponding case in a framework that divides ground. Specifically, we argue that like the burden of inherency in policy debate, the Government team has a burden to offer a case that is controversial. Second, we argue that a narrative model of topicality is more appropriate for the adjudication of parliamentary resolutions than the jurisdictional model inherited from policy debate. We believe that just as in impromptu speaking, where judges hold competitors responsible for a meaningful interpretation of the topic, judges should hold Government teams accountable for interpreting the resolution in a meaningful (what we call significant) way.

Arguing that judges should vote on topicality in parliamentary debate raises an important question: Will judges vote on topicality? While we are certain that judges have and will continue to vote on topicality, the reality is that "topicality" is a dirty word in parliamentary debate. A glance at the judging philosophy book from the 2002 NPDA Champion-

ship Tournament indicates how wide-spread the "anti-topicality" movement is within the NPDA community. Anyone that has spent time in a ballot room hears the almost broken record of critics hoping that the next debate they see will focus on the issues and not on the meaning of the resolution. But why is topicality such an enigma? We argue that the answer lies in the rhetoric used to define the institutional identity of the NPDA.

NPDA Identity and the Anti-Topicality Sentiment of the Community

NPDA, like all groups, has an identity. And, like all groups, that identity is constantly evolving and changing as new information and challenges are presented. While there are many variables contributing to development of NPDA's identity, we believe that the origins of the NPDA identity are based on the assumption that parliamentary debate is fundamentally different from policy debate. While the format of parliamentary debate may have been around for much longer than the contemporary organization we call NPDA, the reality is that parliamentary debate did not become a major competitive event in intercollegiate forensics until a critical mass of programs throughout the United States became disillusioned with policy debate as practiced by CEDA and the NDT. As a result, the early formation of rules and cultural norms were voted on and enforced in practice by people that were looking for something different.

The quest for a new style of debate produced several important "defining characteristics" of parliamentary debate in the late 80s and early 90s. The most significant difference between early parliamentary and policy debate was (and still is) the subject matter. While policy debate argues one resolution each year, parliamentary debate discusses a new resolution each round. In addition to the multiple resolution format, the NPDA made an early commitment to debating resolutions of fact and value in addition to resolutions of policy. Debating a variety of resolutions, many thought, would help parliamentary debate maintain its commitment to "public debate" (Knapp and Galizio, 1999, p. 6). Debates that were fun, imaginative, creative, and loosely linked to the resolution were encouraged and expected (Sheckels and Warfield, 1990, p. 88). Government teams would even propose that resolutions be debated with the assumption that time and space had shifted—suggesting that debaters and judges assume the identity of institutions and agents from both our past and our future. As a result, the resolution played only a limited role in determining the content of the debate.

The public nature of parliamentary debate is the second defining characteristic of the early NPDA. While policy debate privileges a technical and expert knowledge of the public policy outlined in the resolution, parliamentary debate was founded on the notion that people

should be able to debate without an expertise in the subject. Instead of focusing on topic specific research, parliamentary debate coaches wanted debaters to use "common knowledge" when discussing issues in controversy (Sheckels and Warfield, 1990, p. 88). The de-emphasis of expert knowledge was extended into the debate itself when the NPDA prohibited the use of prepared notes and research in the debate chambers. Coaches wanted arguments rooted in what Walter Fisher (1987) calls culture, history and biography—the evidence of our lived experiences.

The final characteristic that defined the early NPDA was the function and scope of the plan required of the Government team. In policy debate the Affirmative is required to offer a detailed plan including specific mandates, enforcement, and funding provisions. In parliamentary debate the expectation of the Government was less rigorous. Governments could defend actions without offering detailed mandates. In fact, Government teams often claimed "we don't need a plan in parliamentary debate" as a defense to charges of ambiguity. As long as everyone knew what the Government was trying to advocate a detailed plan was not necessary.

From these beginnings, NPDA debate evolved. One exigency motivating change was the charge throughout the forensics community that parliamentary debate was nothing more than sophistry. Critics of parliamentary debate argued that debates were too focused on style and delivery, and lacked content. The subject matter of the average parliamentary debate was too oriented toward popular culture. Worse yet, when current events were the subject matter of debate, competitors demonstrated a superficial understanding of actual events, people, and institutions in our world. To be fair, much of the early criticism of parliamentary debate was motivated by those wanting to validate their choice to be involved in policy debate. The criticisms were meant to demonize parliamentary debate as unworthy of support. Nonetheless, the criticism was not without foundation.

Two factors contributed to the early celebration of style over content. First, the repudiation of the technical knowledge required in policy debate allowed early parliamentary debaters to stay on the periphery of current events and public policy. Sheckels and Warfield (1990) invite new parliamentary debaters to "stay aware of the 'lighter' side of life (books, movies, television, music, comics, [and] sports). . ." (p. 88). As long as someone had an opinion and could deliver that opinion in an entertaining and persuasive manner, the argument carried weight. Resolutional construction also contributed to the sophistic criticism of parliamentary debate. Early resolutions in parliamentary debate encouraged a whimsical approach to argument. Teams could expect resolutions, for example, on whether day-time soaps were better than night time drama, whether blue was better than green, or whether Mickey or Donald Duck was the coolest

Disney character.

The charge of sophistry in parliamentary debate from critics outside the community was paralleled by a disturbing competitive bias in favor of the Opposition in most parliamentary debates. Statistics from early NPDA debates demonstrated that Opposition teams were winning over sixty percent of debates. Teams were so afraid to represent the Government that almost every team chose Opposition in elimination rounds whenever they could. In fact, teams choosing to govern were often cheered in public ceremonies as teams willing to take on the "challenge" of representing the Government in the debate.

In reaction to the criticisms of sophistry and the fact that Oppositions were winning a disproportionate percentage of debates, two changes began to occur. First, the community began demanding more technical knowledge from students. This was accomplished primarily because resolution writing became less focused on questions of popular culture and more focused on current political, legal, and economic events. It was also influenced by the increasing number of historically policy oriented coaches and judges who, as their programs shifted to parliamentary debate, brought their own expectations of what constituted common versus technical knowledge. Combined these factors led to an increasing expectation that parliamentary debaters be informed advocates. Parliamentary debate may not celebrate the technical knowledge of policy debate and the unique expertise that comes from reading thousands of pages of scholarly research, but it can, it was thought, expect students to read the newspaper on a regular basis and to formulate "informed" opinions about the ongoing events in our world.

Responding to the increased expectation of "content" in parliamentary debate, debate teams began to prepare arguments for use at tournaments. Teams quickly realized that if they prepared arguments on the major current events of the day they could write cases that might help them navigate multiple resolutions. Not only could they prepare cases for the current events in the news, but they could also prepare for metaphoric topics. Teams quickly figured out that most metaphoric topics fall into one of three genres of advocacy. Either metaphors critique something and say we need more, they critique and say we need less, or they offer no critique and that no action is necessary at all. Teams took the predictability of metaphoric topics and the increasing expectation of substance in debate and the "canned" case was born.

While the "canned case" has resulted in more informed debates, it has also resulted in NPDA losing its "unique" identity in the world of intercollegiate debate. In fact, we argue that NPDA has in fact become very CEDA-like in its growing dependency upon evidence in constructing

"canned cases." Far more significant than an identity crisis, however, is a second result of canned cases: the destruction of educational value of the actual rounds. "Canned cases" limit the education of NPDA rounds simply because when it is used by the Government, it is highly unlikely that the Opposition team is prepared to debate the specifics of the case. Given an infinite number of topics and topic areas, and given a general disdain for traditional topicality arguments, the Opposition seems to be at a significant disadvantage. Simply put, when one team is educated on a case, and the other is ignorant of it, the debate will probably not be educational.

Aside from the obvious disadvantage of ignorant Opposition teams is the disadvantage of the ignorant critic. A Government team uses a case about which the Speaker of the House is uninformed, the ultimate decision of the round is also uninformed. Furthermore, more and more NPDA rounds seem to be coming down to appeals to factual evidence. Such occurs when an Opposition team challenges the validity of the claims of the government's case. Without actually reading any evidence in rounds, the Speaker is placed in an awkward position: that is, he or she must decide which team is telling the truth. Such is an undue burden on the Speaker. The debate itself becomes an exercise in futility.

None of this would be a problem if Opposition teams were encouraged to argue that "canned cases" were not topical. Unfortunately, while many elements of NPDA identity have evolved, the assumption that topicality is a second-class argument strategy has not. In some ways, it is hard to disagree with the criticism. Unlike the past where the resolution played only a marginal role in the debate, contemporary practice makes the wording of the resolution much more important. The problem is that parliamentary debate has yet to establish its own unique argumentative tradition in relationship to topicality. Borrowing from policy debate and the jurisdictional model of topicality, the only question parliamentary judges are asked to determine is whether a government's interpretation of the resolution is reasonably tied to the definition of terms in the resolution. This results in debates that hinge on technical interpretation of words—something most parliamentary critics prefer to avoid.

Critics do not like technical, jurisdictional debates on topicality for two reasons. First, without the ability to actually introduce definitions from the dictionary or other experts, debates of the precise meaning of words end up being nothing more than one blind assertion versus the next. Critics are traditionally left with two competing interpretations of the topic and without evidence, very little reason to prefer one interpretation over the other. In the end, critics tend to defer to the notion that since in the end all language is metaphoric and vague, government teams are given reasonable latitude to define terms in the way they see fit.

Critics also avoid technical debates on topicality because they push the debate too far from the "public" roots of NPDA. The assumption is that argumentative bickering over definitions of terms is rarely "real world." How often, it is argued, do people sit around the dinner table engaged in topicality debates when discussing current events? As a result, critics want debates to focus on the substance of the resolution and not the wording of the resolution.

Taken from this perspective we probably agree that topicality in parliamentary debate should be avoided. Our argument, however, is that parliamentary debate can benefit from a reconceptualization of topicality. We argue, that in parliamentary debate, the question moves beyond the issue of whether or not the case can fall within the jurisdiction of the judge. Instead, a second, and possibly more central issue lies at the heart of topicality in parliamentary debate. The issue is not whether the case can fit within the resolution. The question is whether the case should be accepted as an appropriate interpretation of the resolution. That is, topicality in parliamentary includes the normative assessment of whether the governments interpretation of the resolution is "worthy" of debate.

We believe that there are two standards for determining topicality or worthiness in parliamentary debate. They include the question of controversy and significance. The following section will detail the rationale and expectations for each standard.

Narrative Standards for Topicality in Parliamentary Debate

Controversy

Theoretically, "inherency" is a stock issue in policy debate to ensure that the Affirmatives advocacy is something new and/or a challenge to the institutions and policies of the *status quo*. The Affirmative is given the burden to prove that not only is its opposition to the policy in the *status quo*, but that that Opposition will prevent any meaningful solution to the problem at hand without the change proposed by the Affirmative. As a result, one function of inherency is to limit the number of topical proposals under any given resolution because the Affirmative assumes the burden to prove that change is necessary to solve the harms cited in their case.

We believe that parliamentary debate needs an equivalent to inherency. Instead of demonstrating traditional attitudinal or structural inherency, however, Government teams should be required to demonstrate that the warrants used to justify action are controversial. In other words, the Government is responsible for demonstrating uncertainty (and hence controversy) in the "public sphere" regarding its proposed demonstration of

the resolution. Instead of demonstrating that a problem exists (we illegally dump hazardous waste in Mexico) our standard would require that the government demonstrate that there is opposition to stopping the illegal dumping of hazardous waste in Mexico. This perspective is grounded Aristotle's distinction between arguments and meaningless utterances.

Aristotle would have preferred a world of certainty and truth, but he was a pragmatist as well. He argued that for many decisions in life, full and complete information is not available. For Aristotle, rhetoric is necessary when uncertainty exists. Accordingly, Aristotle would argue that the claim: we should stop dumping hazardous waste in Mexico is not an argument in contemporary society. Instead, he would call it a meaningless utterance. It is meaningless, because there is no uncertainty, no controversy surrounding the claim that dumping illegal waste is a bad idea. There is no doubt that the topic of illegal dumping of hazardous waste might make a good informative speech topic, but proposing that we stop illegal dumping of waste is not a "debatable" case. It is not debatable because the division of ground is skewed in favor of the government. As Freeley (1990) concludes, "Debate is a means of settling differences. Therefore, there must be a difference of opinion or a conflict of interest before there can be a debate" (p. 33).

In addition to providing ground for the Opposition, we also believe that the standard of controversy will help offer some limit to the cases and issues being discussed in debate rounds. We are not necessarily advocating that we need a numerical limit to the cases in parliamentary debate. Instead we are arguing that holding government teams accountable for discussing the "controversial" and "uncertain truths" in the public sphere will help ensure that both the Opposition and government will have something meaningful to say in the debate. We are simply advocating that the evolution of parliamentary debate take one more step. Instead of government teams researching a "canned case" that relies on uncontroversial warrants, government teams should prepare cases on issues that are still uncertain in the public sphere. Requiring that government teams demonstrate that their advocacy is controversial will help push canned cases away from the genre of declamation and back toward argumentation.

We are quite aware that there is very little stability to the concepts of controversy and uncertainty. In fact, it is the very instability of these terms that warrants debate. The participants in the debate ought to negotiate what constitutes a controversial. In fact, our position is that the debaters are the only group that should negotiate the meaning of these terms. Since each resolution and each resolutional interpretation and each performance of that interpretation is unique the participants in the round are in the only position to develop standards for measuring the interpretation of the resolution. Accordingly "contexts and exemplars, always need

to be supplied to reduce vagueness. It is this fundamental insight about language, in fact, which prompted Wittgenstein's oft-quoted dictum: 'Do not ask the meaning of a word, ask for its use' " (McPeck, p. 199).

We have faith that debaters can and will negotiate what is reasonable for their unique situation. And although reasonability has its own set of problems as a standard for interpretation, we agree with Dale Herbeck and John Katsulas (1985) when they conclude that "Despite its flaws, the reasonability standard remains the best standard for determining whether the Affirmative plan is a legitimate example of the resolution" (p. 144). Our experience is that much like obscenity: people will know a controversial claim when they hear it. And, we believe that judges should vote Opposition when the government interpretation fails to meet the standards of controversy negotiated by the debaters. In other words, if and when the Opposition can articulate good reasons to reject the government claim as uncontroversial we believe the government should lose on topicality.

Arguing that claims offered by the government ought be controversial is not the only standard we advocate for topicality. To ensure that the issue being discussed is indeed part of the public sphere, we advocate a second standard for topicality—significance.

Significance

Theoretically, "significance" is a stock issue in policy debate that functions to ensure the debate itself is meaningful. Put another way, significance as a stock issue operates by placing the burden upon the Affirmative team to justify the discussion of its case. That is, an Affirmative team cannot simply research any plan that in some small way is topical. Rather, the Affirmative team must document that its case and plan are worthy of discussion. As a result, the issue of significance acts to limit the scope of the resolution. Patterson and Zarefsky (1983) conclude that,

In our daily lives, we are uncertain about many matters, yet we do not regard them as worth arguing about. . . .[A]rguing takes effort. It involves the mind both in conceiving and expressing beliefs and in processing the responses from other persons. . . .So when people argue, we can conclude that they regard the controversy as non-trivial (p. 5).

Of course, this is all in theory. In practice, significance is never really an issue. One primary reason is that it is easy to document significance through claiming harms. Furthermore, even if there are few harms associated with the Affirmative case, the Affirmative team can and does resort to arguing that saving one person is worthwhile. The moral high ground given to those willing to help seems to mitigate the need for a de-

tailed scenario including body counts. As a result, the stock issue of significance is no longer used by Negative teams and judges to limit the scope of plans falling within the resolution. Instead, policy debate relies on topicality to determine the appropriate scope of the resolution. It seems that in policy debate at every level, it is the community of judges, coaches and competitors who define (maybe even on a round-by round, case by case basis) what is and what is not worthy of discussion.

Our argument is that in parliamentary debate, significance should be check the topicality of the plan or case. This is because "significance" simply ensures that the Affirmative is "affirming the resolution" in-so-far as its case is a worthy example of the resolution. Arguing that the Affirmative should have to affirm the resolution *via* significant examples of the resolution assumes several items about the resolution. One may jump to the conclusion that the assumption must be that the resolution has some sort of *meaning*. That argument would be as follows: "if the resolution has meaning, then one could define what are and what are not examples of the resolution. However, if the resolution has no inherent meaning, then by definition of having no meaning, there could be no objectively agreed upon examples of it." It is at this level of whether the resolution has "meaning" that topicality in parliamentary debate is thought repugnant.

However, the argument of this paper is that inserting a notion of significance as a check on topicality does not have to imply that the resolution has inherent meaning. Rather, significance simply implies that the resolution has *value*. Here, resolitional language can carry value but not have specific meaning in that it can direct a conversation, but not prescribe the conversation. Language can dictate what kinds of examples are justified, but not dictate the exact examples used. Such a check ultimately will be greatly beneficial to parliamentary debate as will be argued later.

A second assumption to significance is simply that there are some things worthy of discussion, and some are not. Typically, in all forms of debate an (if not *the*) observed standard determining worth of subject matter is *education* (Freeley, p. 38). In fact, in just about every topicality violation, the Negative or Opposition team argues that topicality itself is worthy of discussion to ensure that the round is educational. In debate however, education carries a unique definition. That is, outside of debate, something is educational if it is simply informative. A nature special on the Discovery Channel is educational if you learn something you did not previously know. However, a debate is educational not through its informative element, but rather through its *clash*. The notion is that the critic, audience and competitors will be better educated about the issue at hand through a clash of ideas and arguments. The fact that the debate will be informative is taken for granted. Clash however is where debate gets its unique identity. After all, informative or expository speeches not to men-

tion extemporaneous, informative and persuasive speeches are all educational on that first level of delivering knowledge to an audience. However, none of the afore mentioned activities offer education via the clash of ideas.

Of course, the notion that debate can educate *via* information and clash leads to a third assumption related to significance. That is the assumption that the Negative or Opposition team has an ability to clash. That ability stems from the Negative's or Opposition's knowledge of the Affirmative case area. Thus, there must be some level of predictability spawned from the resolution. The obvious question then becomes "what is a reasonable expectation of predictability?" Meaning, the Negative or Opposition should not be allowed to simply claim they could not predict a case area when they are ignorant of it. Therefore, there must be a way to argue that the Negative or Opposition is responsible to be ready to debate certain issues. We propose that a permutation of Walter Fisher's logic of good reasons offers a simple test of whether the example chosen is significant and/or representative of the controversy at hand. While Fisher is describing what he believes to be a natural and intrinsic element of human decision-making, his theory provides a natural link to our argument.

While Fisher suggests that we decode arguments and rhetorical appeals as narratives, he suggests that one of the first questions we ask ourselves is: What are the implicit and explicit values inherent in the advocacy? Once we determine the *topoi* of the advocacy we ask ourselves whether the value inherent in the advocacy are the appropriate values for the issue or situation at hand. We argue that this is the heart of the question of significance in parliamentary debate. The question is whether the case presented by the government is "appropriate" for determining the probable truth of the resolution.

While it would be nice if we could offer a standard definition of appropriateness, the reality is that what constitutes appropriate is up for debate. Fisher suggests that appropriateness is partially defined through efficacy. In other words, it is appropriate if it works. He concludes, however, that efficacy is not enough to determine probable truth. Instead, he suggests that we also ask whether the consequences of our decision are good or bad. In other words, there is both a jurisdictional question of does it fit/work and a normative question of should we say it fits. Our position is that both standards are necessary to determine significance. In the end, implementing the standard of significance limits the debate in that it limits what the government team should be reasonably allowed to discuss. Second, it defines what the Opposition team should be deemed prepared to debate. The major benefit accrued is that debates would be more educational when government teams are required to interpret the resolution in a way that invites clash.

Conclusion

NPDA is at a crossroads argumentatively. The role of the resolution, the function of evidence, the role of prepared arguments, and the burden of proof associated with advocacy are all in flux within our community. We believe that the answer to our problems does not lie in some nostalgic yearning for the past when parliamentary debate was uncorrupted by the influences of those invested and trained in a policy debate framework. We believe that the parliamentary debate community needs to manage the introduction of evidence and prepared cases instead of working to eliminate them. Instead of writing resolutions or designing propositions so that students who have prepared on current events cannot talk about them, we should set standards for what constitutes a good canned case.

The best way to achieve this goal is through the traditional stock issue of topicality. Unlike the jurisdictional model of topicality that dominates policy debate, we suggest that narrative test of topicality be applied to the government interpretation of the resolution. While the jurisdictional model emphasizes the technical question of whether the wording of the Affirmative plan "fits" the wording of the resolution, the narrative model emphasizes whether the government interpretation is worthy of the resolution. Through the standards of controversy and significance we believe that the parliamentary debate community can maintain its commitment to public debate while ensuring well-researched and informed debaters.

References

- Fisher, W. (1987). *Human communication as narrative*. Columbia: University of South Carolina Press.
- Freeley, A. (1990). *Argumentation and debate: critical thinking for reasoned decision making*, 7th ed. CA: Wadsworth Publishing Co.
- Herbeck, D. and Katsulas, J. (1985). "The Affirmative Topicality Burden: Any Reasonable Example of the Resolution." *Journal of the American Forensic Association*, 21(3), 133-145.
- Knapp, T, and Galizio, L. (1999). *Elements of Parliamentary Debate: A Guide to Public Argument*. New York: Longman.
- McPeck, J.. (1992). "Thoughts on Subject Specificity." in Norris, S, *The Generalizability of Critical Thinking*. New York: Teachers College Press, New York.
- Patterson, J.W., and Zarefsky, D. (1983). *Contemporary Debate*. Dallas, TX: Houghton Milfton.
- Sheckels, T. Jr., and Warfield, A.(1990). "Parliamentary Debate: A Description and a Justification." *Argumentation and Advocacy*, 27 (2), 86-96.